

NOT FOR CITATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SONY COMPUTER ENTERTAINMENT
AMERICA, INC.,

Plaintiff,

No. C 04-0492 PJH

v.

**ORDER RE FILING OF DOCUMENTS
UNDER SEAL**

AMERICAN HOME ASSURANCE CO.
et al.,

Defendants.

Defendant American Home Assurance Co. has submitted for the court's approval an administrative request to file its motion for summary judgment and all supporting papers under seal.

The court will not approve a broad protective order that essentially gives each party carte blanche to decide which portions of the record will be sealed and, therefore, not made part of the public record. See Civil L. R. 79-5 and Citizens First Nat'l Bank v. Cincinnati Ins. Co., 178 F.3d 943 (7th Cir. 1999). See also Standing Order re Sealed or Confidential Documents. Federal Rule of Civil Procedure 26(c) requires the court to determine whether good cause exists to seal any part of the record of a case. Accordingly, no document shall be filed under seal, without a court order, narrowly tailored to cover only the document, the particular portion of the document, or category of documents for which good cause exists for filing under seal. The court does not ordinarily approve requests to file entire documents under seal. The parties bear the responsibility of redacting out the confidential portions of their documents for the public file, or sealing only the exhibits that qualify for protection.


It is the responsibility of the party requesting the sealing order to demonstrate good

1 cause. The court will not grant a request based solely on the ground that the opposing party
2 has designated the document as confidential. Rather the requesting party must obtain a
3 declaration establishing good cause from the opposing party. This declaration shall be filed in
4 conjunction with the request for a sealing order. If the opposing party will not comply with a
5 request from the party requesting the sealing order, the requesting party shall file the
6 documents in the public file.

7 The parties shall revise and resubmit the proposed order in accordance with this order.

8 **IT IS SO ORDERED.**

9 Dated: May 24, 2005

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12 PHYLLIS J. HAMILTON
13 United States District Judge
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